

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FRANCISCO VEGA, JR.,

Petitioner,

v.

CALIFORNIA BOARD OF PAROLE  
HEARINGS,

Respondent.

Case No. 21-04321 NC (PR)

**ORDER OF TRANSFER**

Petitioner, a state prisoner at Valley State Prison, has filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254. Petitioner challenges the denial of a parole hearing. *See generally*, Pet. Venue for a habeas action is proper in either the district of confinement or the district of conviction. *See* 28 U.S.C. § 2241(d). However, if a petition challenges the manner in which a sentence is being executed, e.g., if it involves a parole or time credit claim, the district of confinement is the preferable forum. *See* Habeas L.R. 2254-3(b)(2); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). Here, because petitioner challenges his parole, the Eastern District of California is the preferable forum.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Accordingly, this case is **TRANSFERRED** to the United States District Court for the Eastern District of California. *See* 28 U.S.C. § 1406(a). The Clerk shall terminate all pending motions and transfer the entire file to the Eastern District of California.

**IT IS SO ORDERED.**

DATED: \_\_\_\_\_

\_\_\_\_\_  
NATHANAEL M. COUSINS  
United States Magistrate Judge